IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 26TH MARCH 2007 / 5TH CHAITHRA 1929

Crl.Rev.Pet.No. 199 of 1999()

CRA.221/1997 of ADDL.SESSIONS COURT-II, KOZHIKODE
CC.355/1995 of JUDL. MAGISTRATE OF FIRST CLASS-V, KOZHIKODE

.....

REVN. PETITIONER: APPELLANT/ACCUSED

M.P.PRABHAKARAN
S/O.CHANDRASEKHARAN NAIR
PRABHA NIVAS
P.O.GURUVAYOORAPPAN COLLEGE
KOZHIKODE.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: RESPONDENT/COMPLAINANT & STATE

JAYAPRAKASH
S/O. DASAN
PAYYANAKKAL HOUSE
P.O.NALLALAM
KOZHIKODE.

BY ADV. SRI.P.V.KUNHIKRISHNAN

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 26/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRL.R.P.No.199/1999

ORDER ON CRL.M.P.NO.711/1999 IN CRL.R.P.NO.199/1999

DISMISSED

26.3.2007 Sd/- K.R.UDAYABHANU, JUDGE

/TRUE COPY/

P.A. TO JUDGE

K.R.UDAYABHANU, J

CRL.R.P.No.199 of 1999

Dated this the 26th day of March, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to undergo simple imprisonment for one month and to pay a compensation of Rs.47,000/- and in default, to undergo simple imprisonment for three months and that out of the fine amount, Rs.45,000/- shall be paid to PW1, the complainant.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to make the payment. In the circumstances, sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.45,000/- vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for three months. Revision petitioner is granted four months' time to pay the amount of compensation. Revision petitioner shall appear before the Judicial First Class Magistrate Court-V, Kozhikode on 25.7.2007

to receive the sentence.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl